

Rec'd PCT/PTO 07 NOV 2006

Re: Attorney Docket No. 46955.22

Customer Number: 23973

In re application of: Manfred Faubel, et al.

Serial No.: 10/527,676

371 Filing Date: 11 March 2005

Intl. Application No.: PCT/EP03/10164  
2003

Intl. Filing Date: 12 September

Examiner: Not Yet Assigned

Confirmation No. 8603

Title: Liquid Trap for Collecting Liquids in a Vacuum Device**CERTIFICATE UNDER 37 CFR 1.8 (Facsimile Transmission)**

I hereby certify that this Renewed Submission Under CFR 1.497 (d) with Exhibits A-F is being filed with the United States Patent Office via facsimile to:  
Fax Number 571.273.0459

Addressed to:

PCT Legal Office,

Examiners Boris Milef and George M. Dombroske

November 7, 2006

Date of Deposit

Jane D. Roberts

Name

Jane D. Roberts

Signature

Date

11/7/06

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7 NOV 2006

Legal Staff  
International Division

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Mail Stop: PCT EO/US ATTN: PCT Legal Office  
Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The following is submitted in response to the Decision dated September 8, 2006.

Concerning Assignee Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V. ("Max-Planck") we submit:

**Exhibit A:** a newly executed Statement of Consent by Christa Herzog on behalf of the Max-Planck.

**Exhibit B:** a true copy of the German "Vollmacht" (Authorization) document confirming Ms. Herzog's ability to sign on behalf of Max-Planck.

**Exhibit C:** an English translation of the German "Vollmacht" (Authorization) document

**Exhibit D:** printout from the Garching Innovation GmbH ("Innovation") website announcing its change of name to Max-Planck-Innovation.

Concerning Assignee Georg-August-Universität we submit:

**Exhibit E:** a Statement of Consent executed by Ralf Fischer on behalf of Georg-August-Universität.

**Exhibit F:** e-mail correspondence from Dr. Oliver Hertz of the German law firm v. Bezold & Sozien, which represents Georg-August-Universität in its patent matters, confirming that the position held by Mr. Fischer conveys the authority to sign on behalf of Georg-August-Universität.

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NOV 2006  
Legal Staff  
International Division

The change of name of Innovation does not affect the validity of Ms. Herzog's actions on behalf of Max-Planck, but is noted for the sake of completeness. Although not legally relevant, the Examiners may find it helpful to understand that Innovation provides services relating to technology transfer for other parts of the Max-Planck organization.

We believe that the foregoing satisfies requirement 3 of the Decision. We respectfully petition the US Elected Office to amend the inventorship of the above captioned application to include the three inventors Bernd Abel, Jens Assman, and Eugene Lugovoi.

Authorization is hereby granted to charge any additional fees or credit any over-payment to deposit account No. 50-0573. A duplicate of this authorization is enclosed.

Respectfully submitted,



Dated: 7 November 2006

Henry N. Blanco White, Attorney for Applicant  
Registration No. 47,350

CUSTOMER NUMBER: 23973  
Drinker Biddle and Reath LLP  
One Logan Square  
18<sup>th</sup> and Cherry Streets  
Philadelphia, PA 19103-6996  
Telephone: 215.988.3301  
Facsimile: 215.988.2757

# EXHIBIT A

06/11/2006 15:25  
06/11/2006 14:13 FAX

Garching Innovation GmbH

002

Statement of Consent by Assignees under 37 CFR 1.48 (a) (5):

Assignee Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften e.V. is a Co-Tenant, along with Georg-August-Universität Göttingen, of an undivided one-half interest in the patent invention titled "Liquid Trap for Collecting Liquids in a Vacuum Device". Assignee Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften e.V. gives its written consent to name Bernd Abel, Jens Assman, and Eugene Lugovoi as inventors on the subject invention.

Christa Herzog

Dated:

6. Nov. 2006

Signature of Christa Herzog

Head of Specialty for Patents of Garching Innovation GmbH and

Authorized Signatory for Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften e.V.

Authorized via notarized Authorization executed by Prof. Dr. Hubert Markl, President of Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften e.V.

Enclosures: True copy of German Language notarized Vollmacht (Authorization)

English Translation of notarized Vollmacht (Authorization)

BEST AVAILABLE COPY

# EXHIBIT B

**MAX-PLANCK-GESELLSCHAFT  
ZUR FÖRDERUNG DER WISSENSCHAFTEN E.V.  
- DER VORSTAND -**

**VOLLMACHT**

Der Vorstand der Max-Planck-Gesellschaft zur Förderung der Wissenschaften e. V.  
mit dem Sitz in Berlin bevollmächtigt

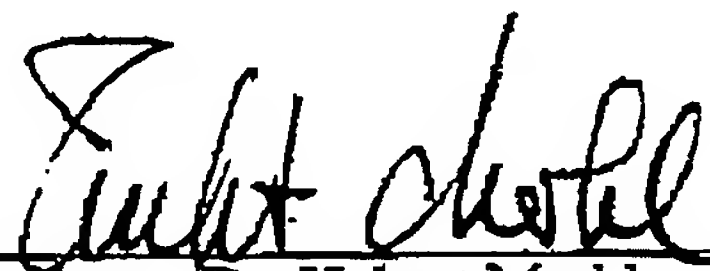
Frau Christa Herzog  
Sachgebietsleiterin des Bereiches Patente der  
Garching Innovation GmbH  
Hofgartenstraße 8  
80539 München

ihn in folgenden Geschäften des Vereins zu vertreten:

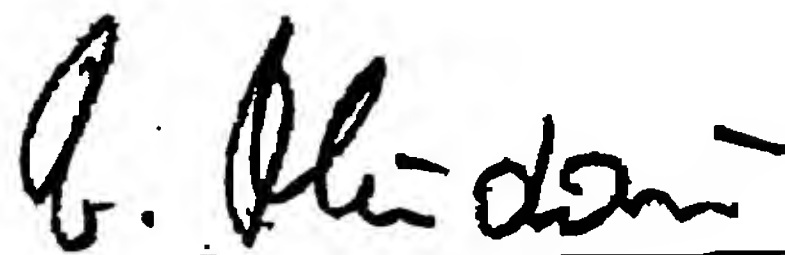
1. Erwerb und Veräußerung von Erfindungen, gewerblichen Schutzrechten und Schutzrechtsanmeldungen aller Art ohne Rücksicht auf den Stand des Anmeldeverfahrens (Patente, Gebrauchsmuster, Warenzeichen etc.) ohne örtliche Beschränkung.
2. Vertretung des Vereins bei den Patentämtern, Ämtern für geistiges Eigentum oder Behörden mit vergleichbaren Aufgaben aller Länder ohne Beschränkung auf besondere Rechtshandlungen, Rechtsgeschäfte oder Verfügungen.

Diese Bevollmächtigung schließt das Recht zur Erteilung von Untervollmachten ein.

München, den *21. Mai 1999*



Professor Dr. Hubert Markl  
Präsident



Dr. Barbara Bludau  
Generalsekretärin

der Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V.

**BEST AVAILABLE COPY**

URNr. S 1293 /1999

Ich beglaubige die Echtheit der vorstehenden, vor mir vollzogenen Unterschriften von

1. Herrn Prof. Dr. rer. nat. Hubert Markl, Präsident,  
Konstanz,
2. Frau Dr. Barbara Bludau, München, Juristin,  
Generalsekretärin, München,

beide persönlich bekannt.

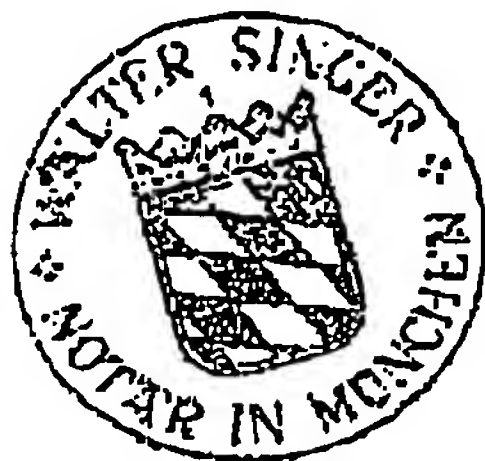
Aufgrund Einsicht in einen beglaubigten Registerauszug des Amtsgerichts Charlottenburg -VR 13378 Nz- vom 07.05.1999 stelle ich fest, daß


a) dort die

Max-Planck-Gesellschaft  
zur Förderung der Wissenschaften e.V.  
mit dem Sitz in Berlin eingetragen ist, und

- b) Herr Prof. Dr. rer. nat. Hubert Markl als Präsident und Frau Dr. Barbara Bludau als Generalsekretärin in Gemeinschaft zur Vertretung des vorbezeichneten Vereins berechtigt sind.

München, den 21. Mai 1999



  
Singer  
Notar

BEST AVAILABLE COPY



# EXHIBIT C

**MAX-PLANCK-GESELLSCHAFT  
ZUR FÖRDERUNG DER WISSENSCHAFTEN E.V.**  
– The Board –

**AUTHORIZATION**

The Board of the Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften e.V.<sup>1</sup>, with a headquarters in Berlin authorizes

Ms. Christa Herzog  
Head of Specialty for Patents of  
Garching Innovation GmbH  
Hofgartenstrasse 8  
80539 Munich

to represent it in the following business of the organization<sup>1</sup>:

1. Acquisition and sale of inventions, industrial property protective rights, and applications for protective rights of all sorts without reference to the state of the application process (patents, utility models, trademarks, etc.) without geographical limitation.
2. Representation of the organization before patent offices, offices for intellectual property, or authorities with comparable functions of all countries without limitation to specific legal processes, legal transactions, or orders.

This authorization includes the power to grant sub-authorizations.

Munich, 21<sup>st</sup> May 1999

[Signature: Hubert Markl]  
Professor Dr. Hubert Markl  
President

[Signature: B. Bludau]  
Dr. Barbara Bludau  
General Secretary

the Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften e.V.

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<sup>1</sup> Translator's note: The standard abbreviation "e.V." for "eingetragener Verein," denoting the legal status of the organization, may be translated literally as "registered organization" or interpreted as "not-for-profit organization."

Reg. No. S 1293 /1999

I certify the authenticity of the foregoing signatures, which were executed before me, of

1. Professor Hubert Markl Sc.D., President, Konstanz,
2. Dr. Barbara Bludau, Munich, lawyer, General Secretary, Munich,

both personally known to me.

On the basis of inspection of a certified register extract from the District Court of Charlottenburg  
–VR 13378 Nz– of 7<sup>th</sup> May 1999 I certify, that

a) the

Max-Planck-Gesellschaft

Zur Förderung Der Wissenschaften e.V.,

with a headquarters in Berlin is registered there, and

- b) Professor Hubert Markl Sc.D., as President and Dr. Barbara Bludau as General Secretary are together authorized to represent the above-mentioned union.

Munich, 21<sup>st</sup> May 1999

Walter Singer

[SEAL]

Notary in Munich

[Illegible Signature]

(Singer)

Notary

# **EXHIBIT D**



**Garching Innovation hat einen neuen Namen:**

**Max-Planck-Innovation**

Unsere Website ist deshalb umgezogen!

Mit diesem Link gelangen Sie zu den Seiten:

[www.max-planck-innovation.de](http://www.max-planck-innovation.de)

Bitte aktualisieren Sie Ihre Favoriten.

Automatische Weiterleitung erfolgt in 5 Sekunden ...

**Garching Innovation has a new name:**

**Max-Planck-Innovation**

Therefore our Website moved!

Please use this link to arrive our new Website:

[www.max-planck-innovation.de](http://www.max-planck-innovation.de)

Please update your favorites

You will automatically be forwarded in 5 seconds ...

# EXHIBIT E

11/07/06 11:20 FAX 2155885789

DB&R PHILA.

017

11/06/2006 09:20 IFAX Fax\_Center@dbr.com

→ Fax Center

003/006

06/11/2006 16:20

U. BEZOLD & SOZIEN → 00012159882757

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06-NOV-2006 13:04 394222

797 051 3912739

B. 3/3

15/11/06

Statement of Consent by Assignees under 37 CFR 1.48 (a) (5):

Assignee Georg-August-Universität Göttingen is a Co-Tenant, along with Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften e.V., of an undivided one-half interest in the patent invention titled "Liquid Trap for Collecting Liquids in a Vacuum Device". Assignee Georg-August-Universität Göttingen gives its written consent to name Bernd Abel, Jens Assman, and Eugene Lugovoi as inventors on the subject invention.

Ralf Fischer

Dated: 06. 11. 06

Signature of Ralf Fischer

Section Head for Private Law, Legal Department of Georg-August-Universität Göttingen and

Authorized Signatory for Georg-August-Universität Göttingen

Appointed by Prof. Dr. Kurt von Figure, President of Georg-August-Universität Göttingen

Enclosures;

BEST AVAILABLE COPY

# EXHIBIT F



**Roberts, Jane**

---

**From:** v. Bezold & Sozien (Hz) [info@sombez.com]  
**Sent:** Monday, November 06, 2006 11:02 AM  
**To:** Roberts, Jane  
**Subject:** Re: URGENT: Your Reference 15811/US Hz/bn

Roberts, Jane schrieb:

> Dear Dr. Hertz,

>

> We confirm receipt of your facsimile of even date enclosing the  
> executed documents for the subject case.

>

> Please advise if you can either provide the necessary authentication,  
> or confirm that Ralf Fischer's job description is one that ordinarily  
> implies power to sign documents like this one. The USPTO Examiner will  
> likely require such authentication, just as he has done concerning  
> Frau Herzog.

>

> Thank you for your assistance. Best Regards,

> Jane

>

Dear Mrs. Roberts:

Herewith it is confirmed that a person at the position Section Head for Private Law at the Legal Department of Georg-August-Universität Göttingen is authorized to sign declarations in the name of the Georg-August-Universität Göttingen.

Yours sincerely,

Dr. Oliver Hertz  
Patent Attorney

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	6869
RECIPIENT ADDRESS	2155685789
DESTINATION ID	
ST. TIME	10/11 11:15
TIME USE	03'28
PGS.	19
RESULT	OK